

PROBATE NOTES: Friday, September 16, 2016

These notes are not updated based on subsequent filings once they are posted.

**PR10975                      Guardianship of Lillian L. Folsom DeLacy**

Hearing type:                      Second amended second account and report of guardian  
Guardian:                          Lisa F. DeLacy  
Guardian's counsel:              None

The Court has reviewed the account and report filed on September 1, 2016. While the guardian's hiring an accountant has resolved previous problems with the accounting of the mutual fund investments, the following issues remain:

1. The pleading has not been verified.
2. The account has omitted the ward's interest in real property reflected on the Inventory and Appraisal form filed on June 3, 2015.
3. Increase in amount of bond to \$40,000.

**PR11192                      Estate of Howard K. Davis**

Hearing type:                      Review re report on status of administration (Prob. Code, § 12200)  
Administrator:                      Kathy Anderson  
Administrator's counsel:          Cynthia R. Hadell

The Court has reviewed the report filed on September 7, 2016. The report has not been verified by the administrator. In addition, the proof of service of the notice of hearing filed on September 7, 2016, does not reflect timely service pursuant to Probate Code section 12201, subdivision (b), nor does it reflect service on all persons entitled to notice. The matter will be continued to October 28, 2016, at 8:30 a.m., in order to allow the administrator time to cure these defects.

**PR11205                      Estate of Barbara L. Freligh**

Hearing type:                      Review re report on status of administration (Prob. Code, § 12200)  
Executor:                          Derek Freligh  
Executor's counsel:                James A. Gianelli

As of September 12, 2016, the report had not been filed. Appearance required if it is not filed prior to the hearing.

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**PR11238                      Estate of Christy A. Toro**

Hearing type:                      First and final report of executor; petition for final distribution,  
compensation, and reimbursement  
Executor:                              Diane Lee Brown  
Executor's counsel:                  Jeffery D. Trowbridge

The Court has reviewed the report and petition filed on July 29, 2016. The Petition fails to attach the agreement required by Local Rule 5.18.0(i). The hearing will be continued to September 23, 2015 at 8:30 a.m. to allow for the agreement to be filed.

**PR11266                      In the Matter of the Spahn 1998 Revocable Trust, etc.**

Hearing type:                      Status conference/trial setting  
Petitioners:                          George C. Spahn III and Christopher L. Baker  
Petitioners' counsel:                  Gary P. Dambacher

At the request of counsel for Petitioner, the Case Management Conference will be continued to November 4, 2016, at 8:30 a.m. All parties shall file Case Management Conference Statements not later than 10 days prior to the hearing.

**PR11297                      Estate of Jerry McDaniel, Sr.**

Hearing type:                      Further review re inventory and appraisal  
Executor:                              Jerry McDaniel, Jr.  
Executor's counsel:                  Vincent L. Jamison

As of September 12, 2016, the executor had not corrected the problem with the Inventory and Appraisal form that was identified in the probate notes for and minute order from the August 26, 2016, hearing. Appearance required if an amended Inventory and Appraisal form is not filed prior to the hearing.

**PR11331                      In re Donna Mae Amato 1995 Revocable Trust**

Hearing type:                      Amended petition for removal of trustee, for appointment of successor  
trustee, to compel accounting, etc.  
Petitioner:                              Evan Williams  
Petitioner's counsel:                  Gary P. Dambacher

Appearance required.

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**PR11341                      Estate of Frank Oyung**

Hearing type:                      Petition for probate of will and letters testamentary  
Petitioner:                          Frances Mary Oyung  
Petitioner's counsel:              None

The Court has reviewed the petition filed on August 2, 2016. It cannot be granted due to numerous errors and omissions, including but not limited to failure to attach a copy of the will and failure to specify the petitioner's relationship to the decedent. In addition, as of September 12, 2016, the petitioner had not filed proof of service or publication of the Notice of Petition to Administer Estate and had not lodged the original will with the Court.

**PR11342                      Estate of Wynema S. Stevens**

Hearing type:                      Amended petition for (1) probate of will and letters of administration  
with will annexed and (2) letters of administration  
Petitioner:                          Debra Atkinson  
Petitioner's counsel:              Gary P. Dambacher

The Court has reviewed the amended petition filed on August 22, 2016. The petition is recommended for approval. Appearance not required. A review hearing re inventory and appraisal will be set for January 20, 2017, at 8:30 a.m. A review hearing pursuant to Probate Code section 12200 will be set for September 22, 2017, at 8:30 a.m.

**PR11345                      The Matter of Carol Ann Cracknell**

Hearing type:                      Amended petition to determine succession to real property and  
personal property  
Petitioner:                          Karin Rodts  
Petitioner's counsel:              None

The Court has reviewed the amended petition filed on August 15, 2016. The petition is recommended for approval. Appearance not required.

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**PR11350                      Estate of Tudie Casillas**

Hearing type:                      Petition for letters of administration  
Petitioner:                          Linda M. Betti  
Petitioner's counsel:              Cynthia R. Hadell

The Court has reviewed the petition filed on August 11, 2016. It cannot be granted at this time because the proof of publication of the notice of the petition is defective; attached to the cover page is a notice of a hearing in another case. In addition, item 6b of the petition indicates that decedent was survived by issue of deceased parents, but no such issue are listed at item 8; instead, item 8 lists a combination of nephews, niece, great-nephew, and great nieces. Appearance required.

**PR10174                      Conservatorship of Claudia Grimes**

Hearing types:                      (1) Review re court investigator's report (Prob. Code, § 1850)  
    (2) Fifth biennial account and report of conservator; petition for fees  
Conservator:                          Tuolumne County Public Guardian  
Conservator's counsel:              County Counsel

The Court has reviewed the court investigator's report filed on August 29, 2016, as well as the conservator's account, report, and petition filed on August 31, 2016. The conservatorship continues to be necessary, and the petition is recommended for approval; however, appearance required to review current placement of conservatee. Review hearings re the court investigator's next report and the sixth biennial accounting will be set concurrently for September 14, 2018, at 8:30 a.m.

**PR11212                      Conservatorship of Leigh Henderson**

Hearing types:                      (1) Review re court investigator's report (Prob. Code, § 1850)  
    (2) First account and report of conservator; petition for fees  
Conservator:                          Tuolumne County Public Guardian  
Conservator's counsel:              County Counsel

The Court has reviewed the court investigator's report filed on August 26, 2016, as well as the conservator's account, report, and petition filed on August 31, 2016. The conservatorship continues to be necessary. The petition will be recommended for approval after resolution of the following issue: the amount of the loan reimbursement requested in the petition (\$9,108.47) does not match the total of the various loans detailed in schedule A (\$8,430.47). Finally, the conservator is ordered to file a corrected Inventory and Appraisal form, as the form filed on November 30, 2015, contains a mathematical error that the conservator apparently detected in preparing the instant accounting but has not yet corrected in the court file.

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**PR10632                      Guardianship of Barbara T. E. Labrado**

Hearing type:                      Review re Confidential Guardianship Status Report  
Guardians:                          Barbara and Robert Posada  
Guardians' counsel:              None

As of September 12, 2016, the report had not been filed. Appearance required if it is not filed prior to the hearing.

**PR10907                      Guardianship of Bentley G. Moore**

Hearing type:                      Further review re Confidential Guardianship Status Report  
Guardian:                          Betty Gail Hoskins  
Guardian's counsel:              None

Appearance required.

**PR10965                      Guardianship of Ethan Hayse Burns-Brown**

Hearing type:                      Review re Confidential Guardianship Status Report  
Guardian:                          Beverly Mae Brown  
Guardian's counsel:              None

The Court has reviewed the report filed on July 20, 2016. Appearance not required. A review hearing re the next annual Confidential Guardianship Status Report will be set for September 8 , 2017, at 8:30 a.m.

**PR11170                      Guardianship of Tyra J. Horan**

Hearing type:                      Review re Confidential Guardianship Status Report  
Guardians:                          Cheryl Horan and Wesley Horan, Jr.  
Guardians' counsel:              Cherie A. Spitze

The Court has reviewed the report filed on August 30, 2016. Appearance not required. A review hearing re the next annual Confidential Guardianship Status Report will be set for September 8 , 2017, at 8:30 a.m.

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**PR11202**

**Guardianship of Richard Pangelina**

Hearing types: (1) Further review re Confidential Guardianship Status Report  
(2) Petition for termination of guardianship  
Guardians: Charise and Tony Foderaro  
Guardians' counsel: Jennifer J. Lothert

As of September 12, 2016, the Confidential Guardianship Status Report that was due by August 26, 2016, still had not been filed. However, the Court has reviewed the Petition for Termination of Guardianship filed on August 11, 2016. Appearance required.

**PR9118**

**Guardianship of Jaycie Dellinger**

Hearing type: Review re Confidential Guardianship Status Report  
Guardian: Kathy Snow  
Guardian's counsel: None

As of September 12, 2016, the report had not been filed. Appearance required if it is not filed prior to the hearing.